

CROSS REFERENCES

Operations of buildings and related activities by Administrator of General Services, general powers and duties, see section 490 of this title.

§ 48. Obedience to President by Chief of Engineers

The Chief of Engineers shall obey, in the discharge of the duties mentioned in section 45 of this title, such regulations, pursuant to law, as may be prescribed by the President, through the Department of the Army.

(R.S. §1801; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501.)

CODIFICATION

R.S. §1801 derived from acts May 2, 1828, ch. 45, §4, 4 Stat. 266; Mar. 3, 1859, ch. 84, §1, 11 Stat. 435; June 25, 1860, ch. 211, §1, 12 Stat. 106; Mar. 30, 1867, ch. 20, §3, 15 Stat. 12.

CHANGE OF NAME

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3010 to 3013 continued Department of the Army under administrative supervision of Secretary of the Army.

§ 49. Record of property by Chief of Engineers

The Chief of Engineers shall keep in his office a complete record of all the lands and other property connected with or belonging to the Washington Aqueduct and other public works under his charge, together with accurate plans and surveys of the public grounds and reservations in the District of Columbia.

(R.S. §1809.)

CODIFICATION

R.S. §1809 derived from act Mar. 3, 1859, ch. 84, §1, 11 Stat. 435.

§ 50. Reports by Chief of Engineers

The Chief of Engineers shall, as superintendent of the Washington Aqueduct, annually submit to the Secretary of the Army, within nine months after the end of the fiscal year, a report of the Chief of Engineers' operations for that year and a report of the condition, progress, repairs, casualties, and expenditures of the Washington Aqueduct and other public works under the Chief of Engineers' charge.

(R.S. §1812; Feb. 26, 1925, ch. 339, §3, 43 Stat. 983; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501; Pub. L. 96-470, title II, §202(a), Oct. 19, 1980, 94 Stat. 2242.)

CODIFICATION

R.S. §1812 derived from acts Mar. 3, 1829, ch. 51, §3, 4 Stat. 363; Aug. 4, 1854, ch. 242, §15, 10 Stat. 573; Mar. 3, 1859, ch. 84, §1, 11 Stat. 435; June 25, 1860, ch. 211, §1, 12 Stat. 106.

Provisions of this section which authorized the Chief of Engineers, as Superintendent of Public Buildings and Grounds, to report to the Secretary of War [Army] concerning the Chief of Engineers' operations for the preceding year including an account of the manner in

which all appropriations for public buildings and grounds had been applied, were omitted in view of the abolishment of the Office of Public Buildings and Grounds under the Chief of Engineers and the transfer of the functions of the Chief of Engineers and the Secretary of War with respect thereto to the Director of Public Buildings and Public Parks of the National Capital by act Feb. 26, 1925, ch. 339, §3, 43 Stat. 983.

AMENDMENTS

1980—Pub. L. 96-470 substituted "within nine months after the end of the fiscal year, a report of the Chief of Engineers' operations for that year" for "in time to accompany the annual message of the President to Congress, a report of his operations for the preceding year" and "the Chief of Engineers' charge" for "his charge".

CHANGE OF NAME

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3010 to 3013 continued Department of the Army under administrative supervision of Secretary of the Army.

§ 51. Authority of Chief of Engineers

The Chief of Engineers and his necessary assistants are empowered to use all lawful means for the discharge of their duties; and, particularly, he shall have full control over the Washington Aqueduct, to regulate the manner in which the authorities of the District of Columbia may tap the supply of water to the inhabitants thereof; and he shall stop the same whenever it is found to be no more than adequate to the wants of the public buildings and grounds.

(R.S. §1810.)

CODIFICATION

R.S. §1810 derived from acts May 2, 1828, ch. 45, §4, 4 Stat. 266; Mar. 3, 1859, ch. 84, §1, 11 Stat. 435.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 52 of this title.

§ 52. Appeal to Secretary of the Army by Chief of Engineers

The decision of the Chief of Engineers on all questions concerning the supply of water, as provided in section 51 of this title, shall be subject to appeal to the Secretary of the Army only.

(R.S. §1811; July 26, 1947, ch. 343, title II, §205(a), 61 Stat. 501.)

CODIFICATION

R.S. §1811 derived from act Mar. 3, 1859, ch. 84, §1, 11 Stat. 435.

CHANGE OF NAME

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3010 to 3013 continued Department of the Army under administrative supervision of Secretary of the Army.

§ 53. Repealed. Pub. L. 94-587, § 165, Oct. 22, 1976, 90 Stat. 2934

Section, acts Sept. 1, 1916, ch. 433, 39 Stat. 693; Mar. 4, 1942, ch. 129, 56 Stat. 123, authorized Chief of Engineers of Department of the Army to enforce traffic regulations for protection of Washington Aqueduct and Filtration Plant, provided for imposition of fines ranging from \$1 to \$40, specified tribunals for conduct of prosecutions in District of Columbia and State of Maryland, and authorized arresting officers to parole arrested persons for attendance at trial.

§ 53a. MacArthur Boulevard; jurisdiction and control

Jurisdiction and control over MacArthur Boulevard for its full width in the District of Columbia between Foxhall Road and the District line, excepting a strip nineteen feet wide within the lines of said road, the center of which is coincident with the center of the water supply conduit, is transferred from the Secretary of the Army to the Council of the District of Columbia, and property abutting thereon shall be subject to any and all lawful assessments which may be levied by the said council for public improvements, the same as other private property in the District of Columbia: *Provided*, That all municipal laws and regulations shall apply to the entire width of the said road in the District of Columbia in the same degree that they apply to other streets and highways in the said District.

(May 22, 1926, ch. 372, 44 Stat. 627; Mar. 4, 1942, ch. 129, 56 Stat. 123; July 26, 1947, ch. 343, title II, § 205(a), 61 Stat. 501; 1967 Reorg. Plan No. 3, § 402(172), eff. Nov. 3, 1967, 32 F.R. 11669, 81 Stat. 951; Pub. L. 93-198, title IV, § 401, Dec. 24, 1973, 87 Stat. 785.)

CODIFICATION

Section is also set out in D.C. Code, § 7-1401.

AMENDMENTS

1942—Act Mar. 4, 1942, changed name of Conduit Road to MacArthur Boulevard.

CHANGE OF NAME

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TRANSFER OF FUNCTIONS

"Council of the District of Columbia" substituted in text for "District of Columbia Council" pursuant to section 401 of Pub. L. 93-198. District of Columbia Council, as established by Reorg. Plan No. 3 of 1967, abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, § 711, Dec. 24, 1973, 87 Stat. 818, classified to section 1-211 of the District of Columbia Code, and replaced by Council of District of Columbia, as provided by section 401 of Pub. L. 93-198, classified to section 1-221 of the District of Columbia Code.

Previously, reference to the Board of Commissioners of the District of Columbia had been changed to the District of Columbia Council pursuant to section 402(172) of Reorganization Plan No. 3 of 1967, 32 F.R. 11669, set out in the Appendix to Title 5, Government Organization and Employees, which transferred the regulatory and other functions of the Board of Commis-

sioners relating to the jurisdiction and control over MacArthur Boulevard (formerly Conduit Road) and the levying of assessments for public improvements under this section to the District of Columbia Council, subject to the right of the Commissioner as provided by section 406 of the Plan. For provisions establishing the District of Columbia Council, see section 201 of Reorg. Plan No. 3 of 1967.

§ 54. Moneys for public works; expenditure

All moneys appropriated for the Washington Aqueduct, and for the other public works in the District of Columbia, not otherwise expressly provided for by law, shall be expended under the direction of the Secretary of the Army.

(R.S. § 1802; July 26, 1947, ch. 343, title II, § 205(a), 61 Stat. 501.)

CODIFICATION

R.S. § 1802 derived from acts Mar. 3, 1859, ch. 84, § 1, 11 Stat. 435; June 18, 1862, No. 36, 12 Stat. 620; Mar. 30, 1867, ch. 20, § 3, 15 Stat. 12.

CHANGE OF NAME

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§ 55. Mains or pipes; laying for use of public buildings

No greater number of main pipes of the Washington Aqueduct shall be laid at the expense of the United States than are sufficient to furnish the public buildings, offices, and grounds with the necessary supply of water. The cost of any main pipe, for the supply of water to the inhabitants of Washington, must be paid by the District of Columbia, in the manner provided by law.

(R.S. § 1805; Feb. 11, 1895, ch. 79, 28 Stat. 650.)

CODIFICATION

R.S. § 1805 derived from act Mar. 3, 1859, ch. 84, § 6, 11 Stat. 436.

Section is also set out in D.C. Code, § 43-1549.

§ 56. Unauthorized opening

No person, unless by consent of the Chief of Engineers, shall tap or open the mains or pipes laid or hereafter to be laid by the United States, under a penalty of not less than \$50 nor more than \$500.

(R.S. § 1803; Feb. 26, 1925, ch. 339, § 3, 43 Stat. 983.)

CODIFICATION

The words "in charge of public buildings and works" which followed "Chief of Engineers" were omitted in view of the abolition of the Office of Public Buildings and Grounds under the Chief of Engineers and the transfer of certain functions of the Chief of Engineers to the Director of Public Buildings and Grounds of the National Capital by act Feb. 26, 1925, ch. 339, § 3, 43 Stat. 983. For further details, see notes set out under section 19 of this title.

R.S. § 1803 derived from act Mar. 3, 1859, ch. 84, § 5, 11 Stat. 436.